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MEMO ENDORSED

November 1, 2023

**VIA ECF**

The Honorable Judge Andrew L. Carter, Jr.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 435  
New York, NY 10007

**Re: *Scott et al v. AAM Holding Corp. et al***  
**Case No. 1:23-cv-01909(ALC)**

Dear Judge Carter:

We represent Defendants AAM Holding Corp., 59 Murray Street Enterprises, Inc., Barry Lipsitz, and Barry Lipsitz, Jr. (collectively “Defendants”) in the above-captioned matter. We write to respectfully write to request an adjournment of the telephonic conference call for Defendants’ anticipated motion to compel arbitration currently scheduled for November 2, 2023 at 3:00 PM.

This adjournment is requested because I will be unable to attend the conference due to a scheduling conflict. I will be entirely unavailable on November 2 and November 3, but I can be available for a conference next week on November 6, 7, 9, and 10, at any time convenient for the Court. Plaintiffs’ counsel will be unavailable entirely on November 7, after 12 PM on November 6, and before 11 AM on November 9. Other than the foregoing dates and times, Plaintiffs’ counsel is available to attend the conference.

This is Defendants’ first request for an adjournment of the pre-motion conference for Defendants’ anticipated motion to compel arbitration. Plaintiffs’ counsel consents to this requested adjournment. No other deadlines will be affected by this request.

Thank you for your consideration.

Respectfully Submitted,

/s/ Jeffrey A. Kimmel  
Jeffrey A. Kimmel

The Honorable Andrew L. Carter

November 1, 2023

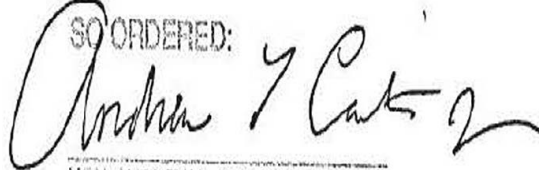
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Partner

For the Firm

cc: Plaintiffs' attorney (via ECF)

SO ORDERED:  
  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

November 1, 2023

The Court will hold a telephonic conference in this action on November 13, 2023 at 12:00 PM Eastern Time. All parties shall appear and should contact the Court at 1-888-363-4749 (access code: 3768660).